

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOUBERT ALEXANDRE, YVON AUGUSTIN,
MAX CHARTELAIN, WILFRED GERMAIN, CLAUDE
LESSAGE, and JEAN PIERRE, INDIVIDUALLY AS
OWNERS OF YELLOW CAB MEDALLIONS IN THE
CITY OF NEW YORK AND ON BEHALF OF A CLASS
OF ALL OWNERS SIMILARLY SITUATED, AS WELL AS
INDIVIDUALLY, TOGETHER WITH MAMNUNUL HAQ
and ASIM AKHTAR, AS HOLDERS OF HACK
LICENSES IN THE CITY OF NEW YORK AND AS
REPRESENTATIVES ON BEHALF OF A CLASS OF
ALL HOLDERS OF HACK LICENSES IN THE CITY OF
NEW YORK, and the NEW YORK TAXI WORKERS
ALLIANCE,

Civil Action No.

AFFIRMATION OF
NAUREEN
RASHID

Plaintiffs,

- against -

THE NEW YORK CITY TAXI AND LIMOUSINE COM-
MISSION, MATTHEW DAUS, AS COMMISSIONER
/CHAIR OF THE NEW YORK CITY TAXI AND LIMO-
USINE COMMISSION, AND THE CITY OF NEW YORK,

Defendants.

Naureen Rashid, an attorney duly admitted to practice before this Court and before the Courts of the State of New York, hereby declares under penalty of perjury under the laws of the United States of America, this 19th day of September, 2007, as follows:

1. I am associated with Koehler & Isaacs, LLP, counsel for all plaintiffs and submit this affirmation in support of plaintiffs' motion for a preliminary injunction and temporary restraining order.
2. In or about the last week of August, 2007, plaintiffs Alexandre, Augustin, Chartelain, Germain, Lessage and Pierre, who are owner-operators of yellow medallion taxicabs in the City

of New York, were served with Summons issued by the defendant New York City Taxi and Limousine Commission (“TLC”) claiming that each, respectively, had violated Section 1-11 (g) of TLC’s Rules and Regulations by failing to sign by August 1, 2007 a contract to install the Taxi Technology System (“TTS”) in his yellow medallion taxicab, and requiring them to appear at hearings variously scheduled during the work week beginning September 4, 2007. Plaintiff New York City Taxi Workers Alliance (“NYTWA”) obtained information that TLC had served similar Summons of hearings to be held during the first two weeks of September on all other owner-operators of yellow medallion taxicabs who had not signed TTS installation contracts.

3. On Thursday, August 30, 2007, I telephoned the TLC to inform it that on August 31, 2007 our law firm was going to file this lawsuit against defendants, in part to enjoin the TLC’s administrative hearings referred to above while the issues raised in this case are properly litigated. I spoke to Charles Tortorici, the Deputy General Counsel for the New York City Taxi and Limousine Commission.

4. Shortly thereafter, I received a phone call from Ava Maria Brennan of the New York City Corporation Counsel’s Office. We entered a discussion which led to an informal agreement that plaintiffs would refrain from filing the lawsuit on August 31, 2007 in return for TLC’s adjournment of all pending hearings until the last week of September 2007. I asked the Corporation Counsel to put this agreement in writing, which they did. See Corporation Counsel letter to Naureen Rashid as annexed hereto as Exhibit A. Upon receipt of this letter, I left a voicemail for Ms. Brennan stating that we would not file the lawsuit on August 31, 2007.

5. Upon information and belief, TLC has again served plaintiffs Alexandre, Augustin, Chartelain, Germain, Lessage and Pierre and all other similarly situated owner-operators of

yellow medallion taxicabs with fresh Summonses requiring them to appear and answer beginning on what we believed to be Monday, September 24, 2007, based on our agreement. The new Summonses received by plaintiffs are annexed hereto as Exhibit B.

6. Because the same circumstances exist except that the hearing dates have changed, counsel for plaintiffs have chosen not to update every sworn factual statement submitted in support of this motion, but rather to proceed with the papers as they were originally drawn, while making it plain to all that the plaintiffs' hearing dates originally set forth as on or after September 4 are now scheduled on or after September 24.

7. Specifically, below are the old TLC hearing dates as reflected in each plaintiff owner-operators' affidavit, and the newly scheduled hearing dates as shown in Exhibit B:

Loubert Alexandre	Old Hearing Date:	September 5, 2007
	New Hearing Date:	September 24, 2007
Yvon Augustin	Old Hearing Date:	September 10, 2007
	New Hearing Date:	September 28, 2007
Jean Pierre	Old Hearing Date:	September 7, 2007
	New Hearing Date:	September 28, 2007
Max Chartelain	Old Hearing Date:	September 6, 2007
	New Hearing Date:	September 26, 2007
Claude Lessage	Old Hearing Date:	September 6, 2007
	New Hearing Date:	September 26, 2007
Wilfred Germaine	Old Hearing Date:	September 6, 2007
	New Hearing Date:	September 26, 2007

8. On September 18, 2007, I called the New York City Corporation Counsel's office and spoke to Ave Maria Brennan. I told her that on September 19, 2007, we would seek a temporary restraining order to stop TLC from holding administrative hearings against the owner-operators

who have not signed contracts with vendors to install the TTS and consequently, are facing suspensions of their medallions on their scheduled hearing dates. I also apprised her that we are seeking a preliminary injunction to stop the installation of TTS, which the TLC has mandated to be installed inside of every yellow taxi cab by no later than the taxi's first inspection date after October 1, 2007.

9. On September 18, 2007, I received a phone call from a taxi driver named Stewart Joffe, who is a member of NYTWA. We are general counsel to NYTWA and routinely receive phone calls from taxi drivers regarding various matters. Although Mr. Joffe is not one of our named plaintiffs, he falls within the class of our owner-operator plaintiffs class. He is an owner-operator who has not signed a contract with a vendor to install TTS. The TLC had originally sent Mr. Joffe a Summons to appear for an administrative hearing scheduled on September 7, 2007. Once we reached the agreement with the Corporation Counsel to adjourn the hearings, he received a new Summons from the TLC stating his new hearing date is September 20, 2007. This hearing date clearly does not fall within the last week of September 2007 as agreed to by Corporation Counsel. See Exhibit A as annexed hereto. This driver will face the suspension of his medallion tomorrow if the court does not intervene.

10. Up until this phone call from Mr. Joffe, we were under the impression that the earliest scheduled hearing date against an owner-operator where he/she may face medallion suspension, was scheduled to begin on Monday, September 24, 2007 based on our agreement with Corporation Counsel.

11. Plaintiffs believe that a further informal agreement between the parties will not suffice because Corporation Counsel did not fully honor the earlier agreement.

12. No prior application for the relief sought herein has been made to this Court, and this Court need not require plaintiffs to post a bond in support of the injunctive relief they seek because defendants will incur no monetary loss as a result of any temporary or preliminary injunctive relief entered by this Court.

S/NAUREEN RASHID
Naureen Rashid (5803)

EXHIBIT A



MICHAEL A. CARDODOZ
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

AVE MARIA BRENNAN
Phone: 212-788-0782
Fax: 212-791-9714
Email: abrennan@law.nyc.gov

August 30, 2007

BY EMAIL TRANSMISSION

Naureen Rashid, Esq.
Koehler & Isaacs, LLP
61 Broadway, 25th Floor
New York, New York 10006

Re: TLC Matter

Dear Ms. Rashid:

This will confirm our telephone conversation in which I informed you that the hearings currently scheduled at the Taxi and Limousine Commission for the first two weeks in September against, among others, owner operators, for failure to sign vendor contracts by August 1, 2007 have been adjourned to the last week in September (unless an individual respondent insists on proceeding with a hearing notwithstanding TLC's adjournment of the matter). These adjournments are without prejudice to applications for further adjournments of these hearings.

Please advise whether you still intend to seek a TRO tomorrow.

Thank you.

Very truly yours,

Ave Maria Brennan
Ave Maria Brennan

EXHIBIT B



Matthew W. Daus, Commissioner/Chair

Enforcement Division
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377
(718) 267-4555/ FAX (718) 956-6204

ALEXANDRE, LOUBERT
 241-30 145 AVENUE
 ROSEDALE, NY 11422

This is in reference to Summons number(s) listed below:

PIM0020

Med/HL # 1T53 Plate # _____

The hearing date and/ or time on the original summons you received has been changed. You are required to appear at 32-02 Queens Blvd. 3rd floor on the

24 of SEPTEMBER 2007 at 10:20 AM
 Day Month Year Time

Thank you for your cooperation.

MICHAEL FRISCHIA 8/30/07

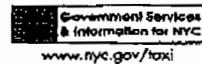
Lieutenant/Inspector Signature _____ Date _____

SUMMONS CONTROL DIVISION

"I certify that this is a true copy of a letter inserted by me in an envelope addressed to the named respondent at the above address which if respondent is a licensee is the address listed in TAMIS and deposited in the normal course of business with the TLC mail service"

O'Reilly
 TLC Employee Signature
 Revised 05/07

8/30/07
 Date





Matthew W. Daus, Commissioner/Chair

Uniformed Services Bureau
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377

Today's Date: 8/30/2007

ALEXANDRE LOUBERT
241-30 145 AVENUE
ROSEDALE, NY 11422

Your Medallion #: 1T58

THIS IS SUMMONS # PIM0020

You are hereby charged with a violation of the N.Y.C. Taxi and Limousine Commission's (TLC) Owners Rules, Sec. 1-11(g), in that as of August 1, 2007, you failed to sign a contract with an authorized taxicab technology service provider to buy, lease, rent or use a Taxicab Technology Enhancements System and Service for each medallion you own.

You are hereby summoned to appear for a hearing at the TLC's Adjudications Division, located at 32-02 Queens Boulevard, Long Island City, New York 11101 at **10:20:00 AM** on **9/5/2007**

WHEN APPEARING AT YOUR HEARING YOU HAVE THE FOLLOWING RIGHTS /OBLIGATIONS:

YOU MUST APPEAR IN PERSON TO ANSWER THIS SUMMONS. THE PENALTY FOR VIOLATION OF SECTION 1-11(g) OF THE TLC'S MEDALLION OWNER'S RULES IS \$250 AND SUSPENSION UNTIL COMPLIANCE. YOUR FAILURE TO APPEAR WILL BE CONSIDERED A DEFAULT.

IF YOU HAVE A CONTRACT OR CONTRACTS WITH AN AUTHORIZED TAXICAB TECHNOLOGY SERVICE PROVIDER, YOU MUST BRING AN ORIGINAL OR ORIGINALS OF THE CONTRACT TO THE HEARING.

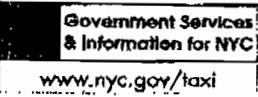
1. You must bring with you an original dated contract for the Taxicab Technology Enhancements System and Service for each medallion you own, signed by an authorized contractor and you or your taxicab agent. If your taxicab agent signed on your behalf, you must also bring your original taxicab agent contract.
2. You may be accompanied by an attorney or a non-attorney representative duly authorized by the Commission. If you are a corporation, it may be represented by an officer, director, or employee of the corporation designated as an agent for the corporation. If you are a partnership, it may be represented by any partner. You may also bring a witness(es) and any evidence that supports your case.
3. If you are found in violation of Section 1-11(g), your license will be suspended until compliance and all fines must be paid in cash or by certified check, money order or credit card on the date that the fine is imposed. Failure to pay any fine imposed will result in further rounds to suspend your license(s) and may result in other actions to collect such fine.
4. Failure to appear for your scheduled hearing without having been granted an adjournment or withdrawal of the complaint by the TLC will result in a hearing being held and a decision rendered in your absence, which may result in a fine and/or suspension of your license(s).
5. Any request for an adjournment must be made in person at the TLC's Adjudications Division at least five (5) business days prior to and excluding the hearing date.

COMPLAINANT: Michael Friscia

"I certify that this is a true copy of a summons inserted by me in an envelope addressed to the named respondent at the address set forth thereon and deposited in the normal course of business with the TLC mail service."

TLC Employee Signature

Date:





Matthew W. Daus, Commissioner/Chair

Enforcement Division
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377
(718) 267-4555/ FAX (718) 956-6204

August 30, 2007

AUGUSTIN, YVON
88-24 MERRICK BOULEVARD 5N
JAMAICA, NY 11432

This is in reference to Summons number(s) listed below:

PIM0167

Med/HL # 9D79 Plate # _____

The hearing date and/ or time on the original summons you received has been changed, you are required to appear at 32-02 Queens Blvd. 3rd floor on the

28 of SEPTMEBER 20 07 at 11:15:00 AM
Day Month Year Time

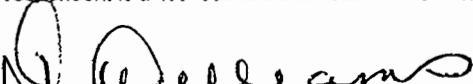
Thank you for your cooperation.

Michael Friscola
COMPLAINANT

August 30, 2007
DATE

SUMMONS CONTROL DIVISION

"I certify that this is a true copy of a letter inserted by me in an envelope addressed to the named respondent at the above address which if respondent is a licensee is the address listed in TAMIS and deposited in the normal course of business with the TLC mail service"


TLC Employee Signature
Revised 05/07

8-31-07

Date



Matthew W. Daus, Commissioner/Chair

Uniformed Services Bureau
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377

AUGUSTIN, YVON
88-24 MERRICK BOULEVARD 5N
JAMAICA, NY 11432

Your Medallion #: 9D79

Today's Date: 8/30/2007

THIS IS SUMMONS # PIM0167

You are hereby charged with a violation of the N.Y.C. Taxi and Limousine Commission's (TLC) Owners Rules, Sec. 1-11(g), in that as of August 1, 2007, you failed to sign a contract with an authorized taxicab technology service provider to buy, lease, rent or use a Taxicab Technology Enhancements System and Service for each medallion you own.

You are hereby summoned to appear for a hearing at the TLC's Adjudications Division, located at 32-02 Queens Boulevard, Long Island City, New York 11101 at 1:30:00 PM on 9/10/2007

WHEN APPEARING AT YOUR HEARING YOU HAVE THE FOLLOWING RIGHTS /OBLIGATIONS:

YOU MUST APPEAR IN PERSON TO ANSWER THIS SUMMONS. THE PENALTY FOR VIOLATION OF SECTION 1-11(g) OF THE TLC'S MEDALLION OWNER'S RULES IS \$250 AND SUSPENSION UNTIL COMPLIANCE. YOUR FAILURE TO APPEAR WILL BE CONSIDERED A DEFAULT.

IF YOU HAVE A CONTRACT OR CONTRACTS WITH AN AUTHORIZED TAXICAB TECHNOLOGY SERVICE PROVIDER, YOU MUST BRING AN ORIGINAL OR ORIGINALS OF THE CONTRACT TO THE HEARING.

1. You must bring with you an original dated contract for the Taxicab Technology Enhancements System and Service for each medallion you own, signed by an authorized contractor and you or your taxicab agent. If your taxicab agent signed on your behalf, you must also bring your original taxicab agent contract.

2. You may be accompanied by an attorney or a non-attorney representative duly authorized by the Commission. If you are a corporation, it may be represented by an officer, director, or employee of the corporation designated as an agent for the corporation. If you are a partnership, it may be represented by any partner. You may also bring a witness(es) and any evidence that supports your case.

3. If you are found in violation of Section 1-11(g), your license will be suspended until compliance and all fines must be paid in cash or by certified check, money order or credit card on the date that the fine is imposed. Failure to pay any fine imposed will result in further grounds to suspend your license(s) and may result in other actions to collect such fine.

4. Failure to appear for your scheduled hearing without having been granted an adjournment or withdrawal of the complaint by the TLC will result in a hearing being held and a decision rendered in your absence, which may result in a fine and/or suspension of your license(s).

5. Any request for an adjournment must be made in person at the TLC's Adjudications Division at least five (5) business days prior to and excluding the hearing date.

COMPLAINANT: Michael Frisia

"I certify that this is a true copy of a summons inserted by me in an envelope addressed to the named respondent at the address set forth thereon and deposited in the normal course of business with the TLC mail service."

TLC Employee Signature

Date: 8-31-07

I, Lev Nathaniel Kropsky, Special Assistant to the Chief of Staff of the Taxi and Limousine Commission, certify that among my primary duties and responsibilities are those pertaining to the Outreach of the Technology Enhancement Project to the taxicab industry.

The purpose of the Outreach is to publicize the compliance deadlines of medallion owners to sign contracts to buy, lease, rent or use the Taxicab Technology Enhancement System and Service.

Outreach has included multiple mailings which were sent to all medallion owners at the addresses listed in TAMIS, a TLC data base.

The mailings included both mass marketing mailings from each of the four Enhancement Vendors to all medallion owners in May of 2007, which included Industry Notices for the approved providers of the technology systems and services and informing of the August 1, 2007 deadline to contract, and a Final Notice of the August 1, 2007 Sign-Up Deadline which was sent on July 30, 2007, to all medallion owners who had not yet signed a contract with a vendor. The Final Notice informed the medallion owners that Summons would be issued to those who were not in compliance.

Additionally TLC held various Outreach events at its Woodside facility. These included a Tech Enhancement Seminar on September 30, 2006 as well as Tech Vendor Expos on June 25, 2007 and July 10, 2007. Each of these seminars was publicized on the TLC website. The notice of the third seminar contained a reminder of the August 1, 2007 Sign-Up Deadline.

Further Woodside Outreach included a feedback session with drivers of the 200 beta test cars on May 7, 2007, and vendor marketing and showcasing of test vehicles on multiple dates at the Woodside inspection lanes beginning on May 7, 2007.

Furthermore, Outreach at JFK was held April, May, June, and July, 2007.

Outreach was held at LGA in April and May 2007.

Outreach was held at Fleets on various days in April and May, 2007.

Finally, the TLC posted an Industry Notice dated June 7, 2007 on the TLC website advising of the August 1, 2007 deadline for medallion owners to contract and explaining to medallion owners the technology program and their responsibilities. This June 7, 2007 Industry Notice was preceded by three notices dated May 25, 2007, June 1, 2007, and June 6, 2007 advising of authorized providers of the technology systems services and the August 1, 2007 deadline to contract. A June 26, 2007 Industry Notice posted on the TLC website again provided the August 1, 2007 deadline.

The four authorized vendors have submitted copies of signed contracts and lists of medallions that have signed up for the Taxicab Technology System and Service. Approximately 12,850 medallion owners signed contracts.

On August 22, 2007, in the ordinary course of business, TLC staff for the Taxicab Technology Enhancement System reviewed those listings and the list of medallions that are in storage. TLC staff compared the authorized vendors' lists with the TLC database and extracted medallion numbers of owners who have not contracted for the system and services. The Respondent is not on the vendors' lists, the medallion is not in storage and the TLC has been provided with no record that the medallion owner has signed a contract for a system and services.

A list of these medallions owners was sent to the Uniform Service Bureau of TLC on August 22, 2007 to issue summonses for failure to comply with Rule 1-11(g).

Lev Nathaniel Kropsky Lev Nathaniel Kropsky
Date Signed August 22, 2007



**NEW YORK CITY
TAXI & LIMOUSINE
COMMISSION**

Matthew W. Daus, Commissioner/Chair

**Enforcement Division
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377
(718) 267-4555/FAX (718) 956-8204**

August 30, 2007

**CHARTELAIN, MAX
1235 VILLAGE AVENUE
BALDWIN, NY 11510**

This is in reference to Summons number(s) listed below:

PIM0081

Med/HL # 4D54 Plate # _____

The hearing date and/ or time on the original summons you received has been changed, you are required to appear at 32-02 Queens Blvd. 3rd floor on the

26 Day of SEPTMEBER Month 20 Year 07 at 1:40:00 PM Time

Thank you for your cooperation.

Michael Tracia
COMPLAINANT

August 30, 2007
DATE

SUMMONS CONTROL DIVISION

"I certify that this is a true copy of a letter inserted by me in an envelope addressed to the named respondent at the above address which if respondent is a licensee is the address listed in TAMIS and deposited in the normal course of business with the TLC mail service"

J. Williams
TLC Employee Signature
Revised 05/07

8-31-07

Date



**NEW YORK CITY
TAXI & LIMOUSINE
COMMISSION**

Matthew W. Daus, Commissioner/Chair

**Uniformed Services Bureau
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377**

**CHARTELAIN, MAX
1235 VILLAGE AVENUE
BALDWIN, NY 11510**

Today's Date: 8/30/2007

Your Medallion #: 4D54

THIS IS SUMMONS # PIM0081

You are hereby charged with a violation of the N.Y.C. Taxi and Limousine Commission's (TLC) Owners Rules, Sec. 1-11(g), in that as of August 1, 2007, you failed to sign a contract with an authorized taxicab technology service provider to buy, lease, rent or use a Taxicab Technology Enhancements System and Service for each medallion you own.

You are hereby summoned to appear for a hearing at the TLC's Adjudications Division, located at 32-02 Queens Boulevard, Long Island City, New York 11101 at 1:40:00 PM on 9/6/2007

WHEN APPEARING AT YOUR HEARING YOU HAVE THE FOLLOWING RIGHTS /OBLIGATIONS:

YOU MUST APPEAR IN PERSON TO ANSWER THIS SUMMONS. THE PENALTY FOR VIOLATION OF SECTION 1-11(g) OF THE TLC'S MEDALLION OWNER'S RULES IS \$250 AND SUSPENSION UNTIL COMPLIANCE. YOUR FAILURE TO APPEAR WILL BE CONSIDERED A DEFAULT.

IF YOU HAVE A CONTRACT OR CONTRACTS WITH AN AUTHORIZED TAXICAB TECHNOLOGY SERVICE PROVIDER, YOU MUST BRING AN ORIGINAL OR ORIGINALS OF THE CONTRACT TO THE HEARING.

1. You must bring with you an original dated contract for the Taxicab Technology Enhancements System and Service for each medallion you own, signed by an authorized contractor and you or your taxicab agent. If your taxicab agent signed on your behalf, you must also bring your original taxicab agent contract.

2. You may be accompanied by an attorney or a non-attorney representative duly authorized by the Commission. If you are a corporation, it may be represented by an officer, director, or employee of the corporation designated as an agent for the corporation. If you are a partnership, it may be represented by any partner. You may also bring a witness(es) and any evidence that supports your case.

3. If you are found in violation of Section 1-11(g), your license will be suspended until compliance and all fines must be paid in cash or by certified check, money order or credit card on the date that the fine is imposed. Failure to pay any fine imposed will result in further grounds to suspend your license(s) and may result in other actions to collect such fine.

4. Failure to appear for your scheduled hearing without having been granted an adjournment or withdrawal of the complaint by the TLC will result in a hearing being held and a decision rendered in your absence, which may result in a fine and/or suspension of your license(s).

5. Any request for an adjournment must be made in person at the TLC's Adjudications Division at least five (5) business days prior to and excluding the hearing date.

COMPLAINANT: Michael Friscia

"I certify that this is a true copy of a summons inserted by me in an envelope addressed to the named respondent at the address set forth thereon and deposited in the normal course of business with the TLC mail service."

TLC Employee Signature Ken Williams

Date: 8-31-07



www.nyc.gov/taxi

I, Lev Nathaniel Kropsky, Special Assistant to the Chief of Staff of the Taxi and Limousine Commission, certify that among my primary duties and responsibilities are those pertaining to the Outreach of the Technology Enhancement Project to the taxicab industry.

The purpose of the Outreach is to publicize the compliance deadlines of medallion owners to sign contracts to buy, lease, rent or use the Taxicab Technology Enhancement System and Service.

Outreach has included multiple mailings which were sent to all medallion owners at the addresses listed in TAMIS, TLC data base.

The mailings included both mass marketing mailings from each of the four Enhancement Vendors to all medallion owners in May of 2007, which included Industry Notices for the approved providers of the technology systems and services and informing of the August 1, 2007 deadline to contract, and a Final Notice of the August 1, 2007 Sign-Up Deadline which was sent on July 30, 2007, to all medallion owners who had not yet signed a contract with a vendor. The Final Notice informed the medallion owners that Summons would be issued to those who were not in compliance.

Additionally TLC held various Outreach events at its Woodside facility. These included a Tech Enhancement Seminar on September 30, 2006 as well as Tech Vendor Expos on June 25, 2007 and July 10, 2007. Each of these seminars was publicized on the TLC website. The notice of the third seminar contained a reminder of the August 1, 2007 Sign-Up Deadline.

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Furthermore, Outreach at JFK was held April, May, June, and July, 2007.

Outreach was held at LGA in April and May 2007.

Outreach was held at Fleets on various days in April and May, 2007.

Finally, the TLC posted an Industry Notice dated June 7, 2007 on the TLC website advising of the August 1, 2007 deadline for medallion owners to contract and explaining to medallion owners the technology program and their responsibilities. This June 7, 2007 Industry Notice was preceded by three notices dated May 24, 2007, June 1, 2007, and June 6, 2007 advising of authorized providers of the technology systems services and the August 1, 2007 deadline to contract. A June 26, 2007 Industry Notice posted on the TLC website again provided the August 1, 2007 deadline.

The four authorized vendors have submitted copies of signed contracts and lists of medallions that have signed up for the Taxicab Technology System and Service. Approximately 12,850 medallion owners signed contracts.

On August 22, 2007, in the ordinary course of business, TLC staff for the Taxicab Technology Enhancement System reviewed those listings and the list of medallions that are in storage. TLC staff compared the authorized vendors' lists with the TLC database and extracted medallion numbers of owners who have not contracted for the system and services. The Respondent is not on the vendors' lists, the mediation is not in storage and the TLC has been provided with no record that the medallion owner has signed a contract for a system and services.

A list of these medallions owners was sent to the Uniform Service Bureau of TLC on August 22, 2007 to issue summonses for failure to comply with Rule 1-11(g).

Lev Nathaniel Kropsky Lev Nathaniel Kropsky
 Date Signed August 22, 2007



Matthew W. Daus, Commissioner/Chair

Enforcement Division
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377
(718) 267-4555/ FAX (718) 956-6204

August 30, 2007

Name: GERMAIN WILFRED

Address: 2240 HOFFMAN AVE
ELMONT, NY 11003

This is in reference to Summons number(s) listed below:

PIM0086

Med/HL # 5A35 Plate # _____

The hearing date and/ or time on the original summons you received has been changed, you are required to appear at 32-02 Queens Blvd. 3rd floor on the

26 of SEPTMEBER 20 07 at 2:20:00 PM
 Day Month Year Time

Thank you for your cooperation.

Michael Friscia
COMPLAINANT

August 30, 2007
DATE

SUMMONS CONTROL DIVISION

"I certify that this is a true copy of a letter inserted by me in an envelope addressed to the named respondent at the above address which if respondent is a licensee is the address listed in TAMIS and deposited in the normal course of business with the TLC mail service"

Erin Hobbs
TLC Employee Signature
Revised 05/07

8/31/07
Date



Matthew W. Daus, Commissioner/Chair

Uniformed Services Bureau
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377

Today's Date: 8/30/2007

GERMAIN,WILFRED
2240 HOFFMAN AVE
ELMONT, NY 11003

Your Medallion #: 5A35

THIS IS SUMMONS # PIM0086

You are hereby charged with a violation of the N.Y.C. Taxi and Limousine Commission's (TLC) Owners Rules, Sec. 1-11(g), in that as of August 1, 2007, you failed to sign a contract with an authorized taxicab technology service provider to buy, lease, rent or use a Taxicab Technology Enhancements System and Service for each medallion you own.

You are hereby summoned to appear for a hearing at the TLC's Adjudications Division, located at 32-02 Queens Boulevard, Long Island City, New York 11101 at **2:20:00 PM** on **9/6/2007**

WHEN APPEARING AT YOUR HEARING YOU HAVE THE FOLLOWING RIGHTS /OBLIGATIONS:

YOU MUST APPEAR IN PERSON TO ANSWER THIS SUMMONS. THE PENALTY FOR VIOLATION OF SECTION 1-11(g) OF THE TLC'S MEDALLION OWNER'S RULES IS \$250 AND SUSPENSION UNTIL COMPLIANCE. YOUR FAILURE TO APPEAR WILL BE CONSIDERED A DEFAULT.

IF YOU HAVE A CONTRACT OR CONTRACTS WITH AN AUTHORIZED TAXICAB TECHNOLOGY SERVICE PROVIDER, YOU MUST BRING AN ORIGINAL OR ORIGINALS OF THE CONTRACT TO THE HEARING.

1. You must bring with you an original dated contract for the Taxicab Technology Enhancements System and Service for each medallion you own, signed by an authorized contractor and you or your taxicab agent. If your taxicab agent signed on your behalf, you must also bring your original taxicab agent contract.

2. You may be accompanied by an attorney or a non-attorney representative duly authorized by the Commission. If you are a corporation, it may be represented by an officer, director, or employee of the corporation designated as an agent for the corporation. If you are a partnership, it may be represented by any partner. You may also bring a witness(es) and any evidence that supports your case.

3. If you are found in violation of Section 1-11(g), your license will be suspended until compliance and all fines must be paid in cash or by certified check, money order or credit card on the date that the fine is imposed. Failure to pay any fine imposed will result in further grounds to suspend your license(s) and may result in other actions to collect such fine.

4. Failure to appear for your scheduled hearing without having been granted an adjournment or withdrawal of the complaint by the TLC will result in a hearing being held and a decision rendered in your absence, which may result in a fine and/or suspension of your license(s).

5. Any request for an adjournment must be made in person at the TLC's Adjudications Division at least five (5) business days prior to and excluding the hearing date.

COMPLAINANT: Michael Friscia

"I certify that this is a true copy of a summons inserted by me in an envelope addressed to the named respondent at the address set forth thereon and deposited in the normal course of business with the TLC mail service."

TLC Employee Signature

O Robbie

Date: 8/30/07

I, Lev Nathaniel Kropsky, Special Assistant to the Chief of Staff of the Taxi and Limousine Commission, certify that among my primary duties and responsibilities are those pertaining to the Outreach of the Technology Enhancement Project to the taxicab industry.

The purpose of the Outreach is to publicize the compliance deadlines of medallion owners to sign contracts to buy, lease, rent or use the Taxicab Technology Enhancement System and Service.

Outreach has included multiple mailings which were sent to all medallion owners at the addresses listed in TAMIS, a TLC data base.

The mailings included both mass marketing mailings from each of the four Enhancement Vendors to all medallion owners in May of 2007, which included Industry Notices for the approved providers of the technology systems and services and informing of the August 1, 2007 deadline to contract, and a Final Notice of the August 1, 2007 Sign-Up Deadline which was sent on July 30, 2007, to all medallion owners who had not yet signed a contract with a vendor. The Final Notice informed the medallion owners that Summons would be issued to those who were not in compliance.

Additionally TLC held various Outreach events at its Woodside facility. These included a Tech Enhancement Seminar on September 30, 2006 as well as Tech Vendor Expos on June 25, 2007 and July 10, 2007. Each of these seminars was publicized on the TLC website. The notice of the third seminar contained a reminder of the August 1, 2007 Sign-Up Deadline.

Further Woodside Outreach included a feedback session with drivers of the 200 beta test cars on May 7, 2007, and vendor marketing and showcasing of test vehicles on multiple dates at the Woodside inspection lanes beginning on May 7, 2007.

Furthermore, Outreach at JFK was held April, May, June, and July, 2007.

Outreach was held at LGA in April and May 2007.

Outreach was held at Fleets on various days in April and May, 2007.

Finally, the TLC posted an Industry Notice dated June 7, 2007 on the TLC website advising of the August 1, 2007 deadline for medallion owners to contract and explaining to medallion owners the technology program and their responsibilities. This June 7, 2007 Industry Notice was preceded by three notices dated May 25, 2007, June 1, 2007, and June 6, 2007 advising of authorized providers of the technology systems services and the August 1, 2007 deadline to contract. A June 26, 2007 Industry Notice posted on the TLC website again provided the August 1, 2007 deadline.

The four authorized vendors have submitted copies of signed contracts and lists of medallions that have signed up for the Taxicab Technology System and Service. Approximately 12,850 medallion owners signed contracts.

On August 22, 2007, in the ordinary course of business, TLC staff for the Taxicab Technology Enhancement System reviewed those listings and the list of medallions that are in storage. TLC staff compared the authorized vendors' lists with the TLC database and extracted medallion numbers of owners who have not contracted for the system and services. The Respondent is not on the vendors' lists, the medallion is not in storage and the TLC has been provided with no record that the medallion owner has signed a contract for a system and services.

A list of these medallions owners was sent to the Uniform Service Bureau of TLC on August 22, 2007 to issue summonses for failure to comply with Rule 1-11(g).

Lev Nathaniel Kropsky Lev Nathaniel Kropsky
Date Signed August 22, 2007



Matthew W. Daus, Commissioner/Chair

Enforcement Division
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377
(718) 267-4555/ FAX (718) 956-6204

August 30, 2007

Name: LESSAGE, CLAUDE

Address: 85 SHELL STREET

MASSAPEQUA, NY 11758

This is in reference to Summons number(s) listed below:

PIM0091

Med/HL # 5B64 Plate # _____

The hearing date and/ or time on the original summons you received has been changed, you are required to appear at 32-02 Queens Blvd. 3rd floor on the

26 of SEPTMEBER 20 07 at 2:50:00 PM
Day Month Year Time

Thank you for your cooperation.

Michael Friscia
COMPLAINANT

August 30, 2007
DATE

SUMMONS CONTROL DIVISION

"I certify that this is a true copy of a letter inserted by me in an envelope addressed to the named respondent at the above address which if respondent is a licensee is the address listed in TAMIS and deposited in the normal course of business with the TLC mail service"

O. Robles
TLC Employee Signature
Revised 05/07

8/31/07

Date

I, Lev Nathaniel Kropsky, Special Assistant to the Chief of Staff of the Taxi and Limousine Commission, certify that among my primary duties and responsibilities are those pertaining to the Outreach of the Technology Enhancement Project to the taxicab industry.

The purpose of the Outreach is to publicize the compliance deadlines of medallion owners to sign contracts to buy, lease, rent or use the Taxicab Technology Enhancement System and Service.

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On August 22, 2007, in the ordinary course of business, TLC staff for the Taxicab Technology Enhancement System reviewed those listings and the list of medallions that are in storage. TLC staff compared the authorized vendors' lists with the TLC database and extracted medallion numbers of owners who have not contracted for the system and services. The Respondent is not on the vendors' lists, the medallion is not in storage and the TLC has been provided with no record that the medallion owner has signed a contract for a system and services.

A list of these medallions owners was sent to the Uniform Service Bureau of TLC on August 22, 2007 to issue summonses for failure to comply with Rule 1-11(g).

Lev Nathaniel Kropsky Lev Nathaniel Kropsky
 Date Signed August 22, 2007



Matthew W. Daus, Commissioner/Chair

Enforcement Division
24-55 Brooklyn Queens Expressway West
Woodside, NY 11377
(718) 267-4555 / FAX (718) 956-6204

August 30, 2007

Name: PIERRE, JEAN VAILLANT

Address: 1094 NEW YORK AVENUE B7
 BROOKLYN, NY 11203

This is in reference to Summons number(s) listed below:

PIM0109

Med/HL # 10C36 Plate # _____

The hearing date and/or time on the original summons you received has been changed, you are required to appear at 32-02 Queens Blvd. 3rd floor on the

28 of SEPTMEBER, 2007 at 8:50:00 AM
 Day Month Year Time

Thank you for your cooperation.

Michael Friscia
COMPLAINANT

August 30, 2007
DATE

SUMMONS CONTROL DIVISION

"I certify that this is a true copy of a letter inserted by me in an envelope addressed to the named respondent at the above address which if respondent is a licensee is the address listed in TAMIS and deposited in the normal course of business with the TLC mail service"

O. Robles
 TLC Employee Signature
 Revised 05/07

8/31/07
 Date



Matthew W. Daus, Commissioner /Chair

Uniformed Services Bureau
 24-55 Brooklyn Queens Expressway West
 Woodside, NY 11377

Today's Date: 8/30/2007

PIERRE JEAN VAILLANT
 1094 NEW YORK AVENUE B7
 BROOKLYN, NY 11203

Your Medallion #: 6C36**THIS IS SUMMONS # PIM0109**

You are hereby charged with a violation of the N.Y.C. Taxi and Limousine Commission's (TLC) Owners Rules, Sec. 1-11(g), in that as of August 1, 2007, you failed to sign a contract with an authorized taxicab technology service provider to buy, lease, rent or use a Taxicab Technology Enhancements System and Service for each medallion you own.

You are hereby summoned to appear for a hearing at the TLC's Adjudications Division, located at 32-02 Queens Boulevard, Long Island City, New York 11101 at 10:00:00 AM on 9/7/2007.

WHEN APPEARING AT YOUR HEARING YOU HAVE THE FOLLOWING RIGHTS/OBLIGATIONS:

YOU MUST APPEAR IN PERSON TO ANSWER THIS SUMMONS. THE PENALTY FOR VIOLATION OF SECTION 1-11(g) OF THE TLC'S MEDALLION OWNER'S RULES IS \$250 AND SUSPENSION UNTIL COMPLIANCE. YOUR FAILURE TO APPEAR WILL BE CONSIDERED A DEFAULT.

IF YOU HAVE A CONTRACT OR CONTRACTS WITH AN AUTHORIZED TAXICAB TECHNOLOGY SERVICE PROVIDER, YOU MUST BRING AN ORIGINAL OR COPIES OF THE CONTRACT TO THE HEARING.

1. You must bring with you an original dated contract for the Taxicab Technology Enhancements System and Service for each medallion you own, signed by an authorized contractor and you or your taxicab agent. If your taxicab agent signed on your behalf, you must also bring your original taxicab agent contract.

2. You may be accompanied by an attorney or a non-attorney representative duly authorized by the Commission. If you are a corporation, it may be represented by an officer, director, or employee of the corporation designated as an agent for the corporation. If you are a partnership, it may be represented by any partner. You may also bring a witness(es) and any evidence that supports your case.

3. If you are found in violation of Section 1-11(g), your license will be suspended until compliance and all fines must be paid in cash or by certified check, money order or credit card on the date that the fine is imposed. Failure to pay any fine imposed will result in further grounds to suspend your license(s) and may result in other actions to collect such fine.

4. Failure to appear for your scheduled hearing without having been granted an adjournment or withdrawal of the complaint by the TLC will result in a hearing being held and a decision rendered in your absence which may result in a fine and/or suspension of your license(s).

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COMPLAINANT: Michael Friscia

"I certify that this is a true copy of a summons inserted by me in an envelope addressed to the named respondent at the address set forth thereon and deposited in the normal course of business with the TLC mail service."

TLC Employee Signature

Date: